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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/727,841

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Mark Buonanno

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04/28/2006

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EXAMINER

BAYARD, DJENANE M

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/727,841

Applicant(s)

BUONANNO ET AL.

Examiner

Djenane M. Bayard

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,7,8,10-16,19,20,22-25,27-29,31 and 32 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.

- 6) ☒ Claim(s) 1,3,7-8, 10-16, 19-20, 22-25, 27-29, 31-32 is/are rejected.

- 7) ☐ Claim(s) _____ is/are objected to.

- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.

- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

- a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)

- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)

Paper No(s)/Mail Date. _____.

- 5) ☐ Notice of Informal Patent Application (PTO-152)

- 6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to Request for Continuation dated 3/06/06 in which claims 1, 3, 7-8, 10-16, 19-20, 22-25, 27-29, 31 and 32 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 7, 13-15, 19, 25, 27-29, 31 and 32 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 6-7, 13-15, 19, 25, 27-29, 30-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2001/0032263 to Gopal et al in view of U.S. Patent No. 4,554,418 to Toy and further in view of U.S. Patent No. 6,289,333 to Jawahar et al.

- a. As per claims 1, 15, 25 and 29, Gopal et al teaches a method exceptions in a business-to-business transaction, comprising the steps of: monitoring an internet gateway, through which the business-to-business transaction passes for timer expiration exceptions issued when a sending application does not receive a confirmation within a predetermined amount of time (See page 6, paragraph [0048], *when a receipt for a message is not present, the network controller is notified*),

Art Unit: 2141

transaction exceptions generated when content, format, security availability or other characteristics of the transaction are out of pre-determined boundaries (See page 2, paragraph [0021]), and network exceptions wherein if an exception issued when a message infrastructure cannot support the message transaction (See page 4, paragraph [0037], *if the destination connector is nonresponding and neither route point processor can complete transmission, and error condition is encountered....Both the primary and secondary route point processor will notify the network controller indicating that a transmission path to the destination connector cannot be established*) is detected: using an intelligent contact manager from a hierarchical list of designated persons to automatically locate an authorized representative, wherein the authorized representative is a designated person who has authority to consummate the business-to-business transaction; using a unified communication system to automatically notifying the authorized representative of the exception (See page 2, paragraph [0021]); However, Gopal et al fails to teach If said authorized representative fails to send a confirmation acknowledging notification of said exception, repeating said using an intelligent contact manager and said using unified communication system to locate and to notify another authorized representative from said hierarchical list until receipt of said confirmation from any notified authorized representative; and if necessary, automatically establishing a collaboration session between representatives of the business-to-business transaction.

Toy teaches an information monitoring and notification method and apparatus. Furthermore, Toy teaches wherein if successful contact is not established, or if a verification is required but not received, the system and method may provide for a repeated attempt after some preselected delay, and/or for attempting further contact addresses contained within the hierarchical listing (See col. 4, lines 33-45)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Toy in the claimed invention of Gopal et al in order to provide an improve method and apparatus for information monitoring (See col. 3, lines 12-15).

Jawahar et al teaches establishing a web collaboration session between representatives of the business-to-business transaction to resolve said exceptions (See col. 2, lines 12-17 and col. 3, lines 60-62).

Art Unit: 2141

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate establishing a collaboration session between representatives of the business-to-business transaction wherein the web collaboration session comprises page sharing, follow-me, form share, text chat, application demonstration, application sharing and white boarding functions as taught by Jawahar et al in the claimed invention of Gopal et al in order to retrieve resources provided from one client to the other client (See page 2, lines 16-18)

b. As per claims 7 and 19, Gopal et al teaches wherein the unified communication system comprises voice messaging, email messaging, and fax messaging (See page 2, paragraph [0021]).

c. As per claims 13, 27 and 31, Gopal et al teaches wherein the business-to-business transaction is handled through e-mail and LDAP containing XML data (See page 2, paragraph [0009 and 0021])

d. As per claims 14, 28 and 32, Gopal et al teaches wherein the exception is handled by email (See page 2, paragraph [0021]).

5. Claims 3 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2001/0032263 to Gopal et al in view of U.S. Patent No. 4,554,418 to Toy and further in view of U.S. Patent No. 6,289,333 to Jawahar et al. as applied to claim 1 above, and further in view of U.S. Patent Application No. 2004/0049562 to Kikinis.

a. As per claims 3 and 16, Gopal et al teaches wherein the intelligent contact manager comprises the functions of pre-routing, post-routing (See page 3, paragraph [0024]). However, Gopal et al in view of Toy and further in view of Jawahar et al fails to teach wherein the intelligent contact manager comprises the functions customer-profile, computer telephony

Art Unit: 2141

integration, enterprise-wide reporting, web interaction, remote agent support, voice recognition integration, and workforce management integration.

Kikinis teaches wherein the intelligent contact manager comprises the functions customer-profile, computer telephony integration, enterprise-wide reporting, web interaction, remote agent support, voice recognition integration, and workforce management integration (See page 3, paragraph [0024] and page 5, paragraph [0043]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the intelligent contact manager comprises the functions as taught by Kikinis in the claimed invention of Gopal et al in view of Toy and further in view of Jawahar et al in order to transmit data over networks as data packets 9see page 1, paragraph [0003]).

6. Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2001/0032263 to Gopal et al in view of U.S. Patent No. 4,554,418 to Toy and further in view of U.S. Patent No. 6,289,333 to Jawahar et al. as applied to claim 1 above, and further in view of U.S. Patent Application No. 2002/0194272 to Zhu et al.

a. As per claims 8 and 20, Gopal et al in view of Toy and further in view of Jawahar et al teaches the claimed invention as described above. However, Gopal et al in view of Toy and further in view of Jawahar et al fails to teach wherein the unified communication system comprises a telephone call, a sequence of contacts, an SMS message to a called party's pager or cell phone, or incoming calls being routed through a series of telephone numbers based on peer, person, or LDAP list.

Zhu teaches wherein the unified communication system comprises a telephone call, a sequence of contacts, an SMS message to a called party's pager or cell phone, or incoming calls being routed through a series of telephone numbers based on peer, person, or LDAP list (See page 1, paragraph [0006])

Art Unit: 2141

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the unified communication system comprises a telephone call, a sequence of contacts, an SMS message to a called party's pager or cell phone, or incoming calls being routed through a series of telephone numbers based on peer, person, or LDAP list as taught by Zhu et al in the claimed invention of Gopal et al in view of Jawahar et al in order to handle calls from a number of customers (See page1, paragraph [0005]).

7. Claims 10-12, 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over .S. Patent Application No. 2001/0032263 to Gopal et al in view of U.S. Patent No. 4,554,418 to Toy and further in view of U.S. Patent No. 6,289,333 to Jawahar et al as applied to claim 1 and 22 above, and further in view of U.S. Patent Application No. 2002/0049622 to Lettich et al.

a. As per claims 10 and 22, Gopal et al in view of Toy and further in view of Jawahar et al teaches the claimed invention as described above. However, Gopal et al in view of Toy and further in view of Jawahar et al fails to teach wherein the apparatus handles exceptions corresponding to demand planning.

Lettich et al teaches demand planning. (See 15, paragraph [0294]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the apparatus handles exceptions corresponding to demand planning as taught by Lettich et al in the claimed invention of Gopal et al in view of Jawahar et al in order to enable companies to meet the challenges of rising global networks (See page 1, paragraph [0003])

b. As per claims 11 and 23, Gopal et al in view of Toy and further in view of Jawahar et al teaches the claimed invention as described above. However, Gopal et al in view of Toy and further in view of Jawahar et al fails to teach wherein business-to-business (B2B) processing

Art Unit: 2141

utilizes the engine to perform steps of requisitioning, purchasing, approval, ordering, receiving, distribution, payment, and measurement.

Lettich et al teaches wherein business-to-business (B2B) processing utilizes the engine to perform steps of requisitioning, purchasing, approval, ordering, receiving, distribution, payment, and measurement (See page 2, paragraph [0023]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein business-to-business (B2B) processing utilizes the engine to perform steps of requisitioning, purchasing, approval, ordering, receiving, distribution, payment, and measurement as taught by Lettich et al in the claimed invention of Gopal et al in view of Jawahar et al in order to enable companies to meet the challenges of rising global networks (See page 1, paragraph [0003])

c. As per claims 12 and 24, Gopal et al in view of Toy and further in view of Jawahar et al teaches the claimed invention as described above. However, Gopal et al in view of Toy and further in view of Jawahar et al fails to teach the step of handling exceptions corresponding to procurement processes.

Lettich et al teaches wherein the exception corresponds to procurement processes (See page 2, paragraph [0023]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the exception corresponds to procurement processes as taught by Lettich et al in the claimed invention of Gopal et al in view of Toy and further in view of Jawahar et al in order to enable companies to meet the challenges of rising global networks (See page 1, paragraph [0003])

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878.

The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

Art Unit: 2141

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Djenane Bayard

Patent Examiner


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER